

Application No.: 09/505,913
Amendment dated: September 9, 2004
Reply to Office Action of: July 14, 2004

REMARKS

This amendment is responsive to the Office Action dated July 14, 2004. Claims herein are 16-111, all of which have been effectively amended cosmetically by amendments to each of the independent claims 16, 45, 77, and 109. Consideration of the claims in their present form is respectfully requested in view of the following comments.

The claims 16 through 43 stand rejected on the basis of 35 U.S.C. 112, and in that regard, some cosmetic amendments have been made with respect to the following comments. The control system is exemplified in Figures 1 and 2 by the system T1S. In Figure 5, the control system is shown in detail. The final element of claim 16 has been amended to recite "a control computer unit" for consistency with the terminology of Figure 5.

Furthermore, with respect to claim 16, the "interface" is exemplified in Figure 5 by the interface T12; the "video system" is exemplified by the video file server T34; the "audio system" is exemplified by the ARU T18; the "text system" is embodied in the control computer T16; and the "storage memory" is embodied in the storage units T24 and T26.

With regard to the "control computer unit" three functions are recited, specifically (1) "storing of data", (2) "locate a select vendor", and (3) "providing audio"---.

Basically, the storing function is disclosed in the paragraph at the top of page 39 in the specification. The "locating" function is disclosed beginning at the bottom of page 40 and involves the extensive treatment of merchandise codes. Clearly the selection of a vendor is inherent in the operation as explained. The function of providing is disclosed in the specification in the last paragraph at page 41.

These functions are expanded upon at various locations in the specification. For example, the descriptions of merchandise codes are treated at pages 31, 35-37, 39, and 40-43. With regard to buyer transmission for select buyers, see pages 12, lines 10-12; page 14, last paragraph; page 18, first paragraph; page 19, third paragraph (note "vendor or buyer"). Note the teachings indicating the potential reciprocal operations as between buyer and vendor terminals, specifically see pages 35 and 38. Thus, the overall description of the system clearly points to the

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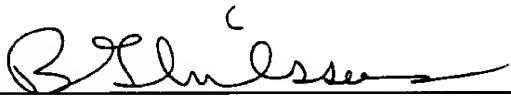
consummation of transactions (page 29, paragraph 2) as a result of communications including video presentations to buyers. Accordingly, in the present form of the claims, support is clearly provided.

Turning to the rejections under 35 U.S.C. 103, the cosmetic amendments to the claims may also be helpful. Specifically, a primary distinction resides in the claims specifying the selectivity function as with respect to merchandise codes. Specifically, the claims recite the utilization of "commercial transaction data." Additionally, Applicant notes the questionable combination of three references from distinct PTO classifications which teach away from the combinations of the claims.

In view of the present forms of the claims and the above comments, Examiner's consideration is respectfully requested.

Respectfully submitted,

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